

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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NEPTALI FARFAN,

Plaintiff,

Docket No.:

-against-

NOTICE OF REMOVAL

COSTCO WHOLESALE CORPORATION,

Defendant.

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TO THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK:

Defendant, Costco Wholesale Corporation (hereinafter “Costco”), for the removal of this action from the Supreme Court of the State of New York, County of Kings, to the United States District Court for the Eastern District of New York, respectfully show this Honorable Court:

FIRST: Costco is a defendant in a civil action brought against it in the Supreme Court of the State of New York, County of Kings, entitled:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

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NEPTALI FARFAN,

Plaintiff,

Index No.: 515533/2022

-against-

COSTCO WHOLESALE CORPORATION,

Defendant.

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SECOND: Copies of the Summons and Verified Complaint in this action are annexed hereto as **Exhibit “A.”** A copy of Costco’s Verified Answer is annexed hereto as **Exhibit “B.”**

These exhibits constitute all pleadings served upon any party in this action. No Court Order has been issued.

THIRD: Plaintiff's correspondence indicating the injuries alleged in this matter and providing medical records was received on August 17, 2022. Less than thirty (30) days have passed since receipt of the correspondence. A copy of plaintiff's correspondence, without medical records, is annexed hereto as **Exhibit "C"**.

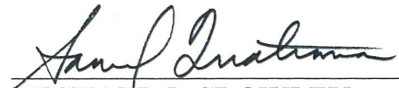
FOURTH: Plaintiff has alleged that due to Costco's negligence, he has suffered various personal injuries, including a fracture of the right humerus and tear of the rotator cuff, for which he underwent open reduction and internal fixation surgery and rotator cuff repair. See Exhibit C. Accordingly, it is clear that the amount of controversy in this matter exceeds \$75,000, exclusive of interests and costs.

FIFTH: This action is one over which this Court has original jurisdiction under the provisions of Title 28, United States Code, Section 1332, and is one which may be removed to this Court by Costco, pursuant to the provisions of Title 28 United States Code, Section 1441, in that: it is a civil action brought in a Supreme Court of the State of New York, by a citizen of the state of New York, against a foreign corporation whose principal place of business is outside of the State of New York; and the amount in controversy exceeds the sum or value of \$75,000.00, exclusive of interest and costs.

WHEREFORE, the defendant, Costco Wholesale Corporation, prays that the above action now pending against it in the Supreme Court of the State of New York, County of Kings, be removed from there to this Court.

Dated: New York, New York
September 12, 2022

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